

60,469-118 PUS1
PA-000,05295-USREMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. New claims 21-23 are presented. Applicant respectfully requests reconsideration of this application. Applicant thanks the Examiner for the indication of allowable subject matter. For the reasons below, Applicant respectfully submits that all claims are allowable.

Applicant respectfully traverses the rejection of claims 1, 7-13 and 18-19 under 35 U.S.C. §102(b) based upon the *Yamazaki, et al.* reference. Applicant respectfully disagrees with the Examiner's interpretation of that reference. The *Yamazaki, et al.* arrangement is for measuring tension on a rope. The tension on the rope that is measured is not the same as wear. While the *Yamazaki, et al.* reference does make some comments that tension can affect wear, there is no correlation between a measured tension and a determined amount of wear.

The primary discussion of wear in the *Yamazaki, et al.* reference relates to the wear of a sheave or pulley. The wear of such a component is not the same thing as a wear condition of a rope or belt.

For example, the Examiner suggests that "Figure 18 illustrates the wear/rope number" on page 2 of the Office Action. Applicant respectfully disagrees. As stated in column 19, lines 19-21, "FIG. 18 plots the partial wear amounts of the *sheave* determined by the spring adjustment quantity computing means 14." (Emphasis added) As clearly taught by *Yamazaki, et al.*, the wear indicated in Figure 18 is the wear of a sheave. The measurement of wear on a sheave is not the same thing as a measurement of wear on a rope or belt. Therefore, the *Yamazaki, et al.* reference does not teach what the Examiner contends and there is no *prima facie* case of anticipation.

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Additionally, the teachings regarding Figures 25A and 25B may reasonably be interpreted to pertain to two separate waves, however, there is nothing about the two different waves being used for determining two different conditions. As taught in paragraph 20, lines 56-62, the "first oscillation detector means 40A that is an acceleration sensor for detecting the rope oscillation occurring in the main rope while the elevator runs" is used along with the computing means 14 "for computing the rope tension of the main rope or the adjustment quantity for the rope tension adjusting spring." As taught in column 21, lines 23-30, the "second oscillation detector means 40B" is used with a computing means 14 "for computing the rope tension of the main rope or the adjustment quantity for the rope tension adjusting spring." It follows that Figures 25A and 25B provide a computation regarding the same quantities. Therefore, even if the two different waves of those two figures could be construed as two different signals, there is no teaching regarding determining two different conditions in response to each. Instead, the exact same information is computed in Figures 25A and 25B. Therefore, the *Yamazaki, et al.* reference does not establish a *prima facie* case of anticipation because it is not consistent with the Examiner's explanation of the rejection provided in the Office Action.

Applicant respectfully submits that all claims are allowable and that a Notice of Allowance is warranted.

If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicant's representative will be happy to discuss any issues regarding this application and be contacted at the telephone number indicated below.

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Applicant believes that additional fees in the amount of \$150.00 are required for three claims in excess of twenty. A credit card authorization form is attached. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this Response, relative to Application Serial No. 10,598,401, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on April 4, 2008.


Theresa M. Palmateer

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